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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. 6700

Application No.: 10/523,473)
Filing Date: January 3, 2006)
Applicant(s): David S. Potter et al.)
Group Art Unit: 3480)
Examiner: Unknown)
Title: DRUG DELIVERY SYSTEM)
Attorney Docket: 663490-00015)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendments
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the enclosed Form PTO/SB/08A are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form PTO/SB/08A, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form PTO/SB/08A is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

U.S. Application No. 10/523,473

The Information Disclosure Statement is being filed:

- ☒ (a) within three months of the filing date of the patent application, (b) within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application, or (c) before the mailing date of a first Office Action on the merits.
- ☐ **after** (a), (b), or (c) above, but before the mailing date of a final action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution of the application, and is accompanied by one of:
- ☐ the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below).
- ☐ the fee set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- ☐ **after** the mailing date of a final action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution but is filed on or before payment of the issue fee, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below), and the fee set forth in 37 C.F.R. § 1.17(p).

Copies Of The References

- ☒ Copies of the references (other than cited U.S. Patents and published U.S. Patent Applications) listed on the enclosed Form PTO/SB/08A are enclosed herewith. Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 C.F.R. § 1.98(a)(3).
- ☐ A copy of the foreign search report is enclosed herewith.
- ☐ The references listed on the enclosed Form PTO/SB/08A were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 C.F.R. § 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 U.S.C. § 120 in which copies of the references were previously furnished are set out below:

U.S. Application No. 10/523,473

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1. 0 /				
2. 0 /				
3. 0 /				

- ☐ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. If the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

Other Applications

- ☐ The Examiner's attention is directed to the following U.S. patent application(s):

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1. 0 /				
2. 0 /				

Certification

- ☐ The **undersigned attorney** hereby certifies that each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned attorney** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the attorney signing after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

U.S. Application No. 10/523,473

Fees

- ☒ **No fee** is owed by the applicant(s).
- ☐ Fee enclosed.

Authorization To Charge Additional Fees

- ☒ If any additional fees are owed in connection with this communication, please charge Deposit Account No. 04-1061.

Respectfully submitted,

DICKINSON WRIGHT PLLC

Date: June 28, 2006

By: _____
Robert L. Kelly, Reg. No. 31,843
Attorney for Applicant

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(248) 433-7578

Enclosures



PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/523,473
Filing Date	January 3, 2006
First Named Inventor	DAVID S. POTTER et al.
Art Unit	3480
Examiner Name	Unknown
Attorney Docket Number	663490-015

Sheet 1 of 2

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3,901,158	08/26/1975	Ferb	
		US- 3,948,263	04/06/1976	Drake	
		US- 4,326,524	04/27/1982	Drake	
		US- 4,968,302	11/06/1990	Schluter et al.	
		US- 5,092,842	03/03/1992	Bechtold et al.	
		US- 5,116,313	05/26/1992	Gregor	
		US- 6,102,896	08/15/2000	Roser	
		US- 6,117,443	09/12/2000	Cheikh	
		US- 6,120,786	09/19/2000	Cheikh	
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0139286	05/02/1985	Yamahira		
		WO 94/22423	10/13/1994	Bar-Shalom		
		UK 2365100	02/13/2002	Brydges-Price		
		CA 1019638	10/25/1977	Buirhead		
		WO 96/40351	12/19/1996	Woodruff		
		WO 02/48654	06/20/2002	Kringlebotn		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet	2	of	2
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0427457	05/15/1991	Nakagawa		
		EP 0666084	08/09/1995	Sams		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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10/523,473



Certificate of Mail Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendments, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on June 28, 2006 by the undersigned.

Susan K. Olson (Susan K. Olson)

1. Supplemental Information Disclosure Statement;
2. PTO/SB/08A; and
3. Foreign cited art.